

## MITCHEL A THORN IN TAMMANY HALL'S SIDE

His Activities in Office, Especially as Acting Mayor, Have Caused the Organization to Lose a Deal of Sleep.

John Purroy Mitchell, who is only thirty-four years old, was elected President of the Board of Aldermen in 1909 on the fusion anti-Tammany ticket. He was picked for Commissioner of Accounts by Mayor McAdoo when he was an Assistant Corporation Counsel.

Mr. Mitchell got his real chance in 1910, when Mayor Gaynor was shot and he became acting Mayor. When Mitchell appeared at the Mayor's reception on January 1, 1910, Gaynor looked him over and remarked: "So you are Mitchell. Well, you are a young chap. I saw you once before, not long ago, when you were a mere boy. I am always glad to see young men get along."

Mitchell was not content while filling the wounded Mayor's shoes to sit quietly in the office and tell what he had read in books. One of the first things he did was to look after Coney Island. He was not satisfied with appearances of "outward decency," and he set about cleaning up the island. It is said that while Mayor Gaynor was unable to return to his office he did considerable fretting about what the "young man" was doing, and that Tammany Hall had very little sleep while Mitchell was running the Mayor's office.

The acting Mayor was the nephew of Henry D. Purroy, once Fire Commissioner, who was high in Tammany circles, but who had no affiliation in 1910. From the time that he began to investigate the Borough President's office Tammany was against him. His investigations brought about the removal from office of Borough Presidents John F. Ahearn of Manhattan and Louis F. Haffen of The Bronx.

Mitchell also looked into the Water Supply Department, the Night Court, the departments of taxes, education and police, the Bureau of Licenses, the Water Register's office, the Board of City Record and the Fire Department.

When he became acting Mayor Mr. Mitchell denounced Police Commissioner Baker as a result of conditions in the Police Department, and he tried to get Baker removed from office when Gaynor resumed his duties.

When he became president of the Board of Aldermen Mr. Mitchell had no illusions. In a speech he said: "The Board of Aldermen is an ancient institution. For that reason it deserves some respect, but for no other that I have been able to discover in its history in recent years. I feel sorely tempted to go to Albany to ask the Legislature to wipe out of existence the entire body, including the president."

In the Board of Estimate Mr. Mitchell has at times worked with Borough President McAdams, but he was opposed to the latter's plan for subway construction which was finally adopted.

Mitchell, as acting Mayor, urged that District Attorney Whitman should step out of the city. Mr. Whitman said that as Mr. Mitchell, as acting Mayor, was head of about 11,000 men he thought it was up to the Police Department to try to do the work rather than to put it on the county's law officer.

He communicated with Mr. Mitchell. Indeed, Tammany leaders at noon received from Washington what they considered accurate information that the name of Mr. Polk would be sent to the Senate for the post.

They at first refused to credit the news that President Mitchell had been named. Later they explained among themselves that the President's action must have been taken as a sort of a compromise to save the feelings of Senator O'Gorman, who had opposed Mr. Polk.

In view of all this the following statement made by Charles F. Murphy, leader of Tammany Hall, simply indicated an effort on his part to get "on the band wagon" and make the best of a bad bargain.

"I am glad to see that the Democrats at Washington have agreed on a good and efficient Democrat for the position," he said. "It is gratifying to the Democratic heart to see Democratic unity and harmony prevail. It is best for the country and for the party."

"The Democrats of the country, I am sure, will approve of the recommendation made by Senator O'Gorman. Mr. Mitchell's character and efficiency as a public servant give assurance of his fitness for the Collectorship."

Mr. Mitchell's selection as Collector of the Port is really more distasteful to Mr. Murphy than that of Mr. Polk would have been, because Mr. Polk comes from an old line of politicians and is politically ambitious. He will remain a political factor, a thorn in the side of Tammany, and through the confidential relations that he will hold to President Wilson may be minded to start an anti-Tammany political movement. The anti-Tammany Democrats in this country have for a long time been looking for a leader to take up the task of ousting Mr. Murphy from the leadership of Tammany Hall.

Will Consider Appointment. As stated, Mr. Mitchell refused last night to discuss his appointment. He would not give the slightest intimation as to whether he would accept the place. As a matter of fact, he will probably think over the matter for some time before reaching a decision.

He has been looking as a strong possibility as an independent candidate for Mayor this fall, William Randolph Hearst having been trying to create a situation whereby Mr. Mitchell might be named by the fusion committee. Or, in case Borough President McAdams should be named by the fusionists, Mr. Hearst has considered the possibility of backing Mr. Mitchell on a third ticket.

President Mitchell will probably go to Washington to confer with President Wilson before he reaches any decision. It is not at all unlikely that he will tell the President he will accept the place on condition that it be understood that he is free to run for Mayor this fall if the nomination should come to him.

By no stretch of the imagination can it be said that President Mitchell is a Tammany man, although he has always been a Democrat. He is a nephew of John D. Purroy, who years ago made a stirring fight against Tammany. The year after he was elected President of the Board of Aldermen Thomas F. McAdams, Tammany leader of the 23d Assembly District, made him a member of the Tammany Hall general committee. But the attempt to lure the coming young politician into the regular organization failed.

He said he had been put on the committee against his wishes and demanded that his name be dropped from the rolls. No attempt has been made to annex him to Tammany Hall since then, although some leaders have been trying to persuade Mr. Murphy that it might not be a bad idea to name him for Mayor. Mr. Mitchell has told his friends, however, that he did not see how he could accept such a nomination from Tammany.

Speaks Before Republican Club. President Mitchell spoke last night before the Republican Club of the 23d Assembly District at one of a series of meetings the club has been holding to hear the members of the fusion administration talk on their achievements. He did not mention the Collectorship, but Alderman John A. Bolles, in introducing him, said:

"We hear that President Mitchell has been named as Collector of the Port. I ask you to rule against this, as we want him for the city government for a higher office than he holds now."

As Alderman Bolles is a Republican, it is to be presumed he referred to the suggestion made in some quarters that Mr. Mitchell would make a good candidate for District Attorney to succeed District Attorney Whitman.

Can't Call Him a Tammany Man. House Democrats who hear plainly, or otherwise, the Tammany label, were not talking for quotation on the Mitchell appointment, but admitted in rather sheepish grins that "you couldn't call Mitchell a Tammany man."

"Mr. Mitchell cannot be called a Tammany man," said a New York City member of the House to-night, "but he is a good man, no doubt, and a Democrat. Although I am not advised in the premises, I believe that undoubtedly Senator O'Gorman gave his consent to the appointment, even if Mr. Mitchell's name was not on the original list submitted by the Senator. It appears to be an eleventh hour compromise, and it is not wholly without redeeming features."

Some of his friends declared to-night that Mr. Mitchell had by no means eliminated himself from local politics, and that the administration would not object if he resigned eventually to become a candidate for Mayor of New York.

JURY KEEPS STILWELL OUT Inquiry Into Bribery Charges by Kendall Begins.

The grand jury inquiry requested by Governor Sulzer into the charges of bribery brought by George H. Kendall, president of the New York Bank Note Company, against State Senator Stephen J. Stilwell was started yesterday with the testimony of Mr. Kendall. Other witnesses were William B. Selden, Deputy County Clerk; Peter A. Elliott, handwriting expert, and Assemblyman Aaron J. Levy.

Soon after Mr. Kendall was called before the grand jury Senator Stilwell appeared with his counsel, State Senator James D. McClelland. Stilwell had written to Ezekiel C. M. Rand, foreman of the grand jury, saying he would like to appear before that body and would be willing to waive immunity. After he had waited for a few minutes word was sent out that the grand jury had not yet acted upon his request, but would do so to-day. It is expected Senator Stilwell will return to-day.

COMMUNION CUP UNDER BAN. Frederick, Md., May 7.—Dr. Ira J. McCurdy, city health officer, has placed a ban on the common communion cup now in general use in churches. He holds that its use is a violation of the law which prohibits common drinking cups in public places.

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## DINERS DROWN EULOGIES AT HARBURGER FEAST

Justice Erlanger Sits Down in a Huff, but It's Different When Julius Rises.

"HAS MADE COUNTY SAFER"

Nihilists Driven Out and Un-American Talk Suppressed, Says Sheriff, Likening McCall's Speech to Lincoln's.

Seven hundred and fifty veteran diners, scattered with the winter's campaign of dinners and oratory, faced the music again last night and ate for two solid hours in honor of Sheriff Julius Harburger at the Waldorf. Then they listened for two more solid hours to oratory reciting his greatness in all ways in which a man should be great.

But despite their devotion to the cause of paying honor to this modern peace officer who has completely eclipsed the fame of the Sheriff of Nottingham, the veterans showed the effects of their hard winter at the banquet board, particularly when they came to the talking part. Either it was the orators or the listeners, but whatever it was the orations had a hard time getting a hearing. Everybody seemed to take it for granted the right things would be said about Julius, and proceeded to pay no further attention to the speeches.

George Gordon Battle, as toastmaster, was reminded, he said, of another toastmaster who started out by saying that "you have had the things to eat and the enjoyable part, and now we will proceed to the oratory." Then he introduced Justice Mitchell L. Erlanger.

Defends Fee System.

Justice Erlanger, who was one of Harburger's predecessors as Sheriff ten years ago, said he thought about the right sort of thing for the occasion would be a defense of the income of the Sheriff's office, in view of the criticism aimed at it recently as a result of the discovery by an investigator of the Commissioner of Accounts that the Sheriff's fee amounted to more than \$5,000 a year. In addition to his \$12,000 salary.

Justice Erlanger defended the bookkeeping of the office while struggling for a few minutes to make himself heard above the jargon at the tables. Then he stepped in a huff and said:

"I perceive that the matter I am speaking about does not interest you, and, therefore, I will make way for the other speakers."

He sat down with an injured air, while the Sheriff cast an appealing look at the momentarily subdued diners, and a sympathetic glance at the justice. Then the Sheriff looked at his plate while Mr. Battle introduced a few more speakers to the mercurial of the diners. They were Corporation Counsel Archibald R. Watson, Surrogate Robert L. Fowler, Chairman Edward E. McCall of the Public Service Commission and Judge Warren W. Foster. They got along as well as Justice Erlanger did against the table talk.

But when Mr. Battle announced he was to introduce the star orator of them all there was a difference. Things became hushed and expectant, as every one braced himself for the avalanche of polysyllabic words he knew was coming. Their hopes were not too high.

Would Deport Nation's Enemies. "It was born on Washington's Birthday," said Julius, "and therefore I am inoculated with patriotism. I won't let anybody insult the glorious Stars and Stripes. He who does not believe in Americanized government should be driven from this country and deported. I desire the cooperation of the tribunals of the people. I see gathered before me, autocrats, politicians, mathematicians and dwellers in the eastern part of the city from where I come from—to drive the nihilist and anarchist and bomb thrower from this country, from this greatest country on the habitable globe."

"The office of Sheriff is the greatest one in this country, its power for good is great. Its humanizing methods have been indelibly impressed on the minds of the people. Under my administration we have arrested the stopping of inciters to riots, we have suppressed bomb throwers, utterers of un-American sentiments, created a love of country and a patriotic spirit, denounced the unfurling of anarchistic flags, and caused substituting of our Red, White and Blue. We have put an end to those who have defied our Republic."

"If I feel elated to-night it is because I am addressing friends who have tendered to me this magnificent banquet, unequalled and unprecedented in the history of banquets during the month of May."

Then the Sheriff put his humanizing methods into effect and stopped after talking six minutes, during which, however, he managed to pay a tribute to his wife, likening Mr. McCall's speech to the Gettysburg address of Lincoln, and shot off a patriotic peroration to make the Nihilists tremble in their boots.

BOY HERO SAVES TRAIN Lad Runs Half a Mile to Warn of Burning Trestle.

Weston, W. Va., May 7.—After a run of half a mile, Robert Brinkley, ten years old, flagged a Baltimore & Ohio passenger train in the mountains near here to-day, and probably saved the train from meeting with disaster by crashing through a burning trestle.

The underpinning of the structure had burned away when the boy discovered the fire. The train, with 150 passengers, was halted near the trestle until a skeleton support was erected.

PIN WIGGLED OUT OF GIRL Magnetized Wire Aids in Delicate Operation.

After several attempts at diagnosis and use of X-ray photographs, surgeons at the Post-Graduate Hospital discovered yesterday that one of their smallest patients, Muriel Seigler, had an open safety pin in her stomach. One of the photographs plainly showed the pin with its point as if about to penetrate the stomach lining.

The surgeons decided they could get the "safety" appliance out without an incision. Taking a coil of wire, one end of which was attached to a delicate battery, they introduced it into the child's stomach, worked it about until the end was near the pin point and then turned on the power. The magnetized wire seized hold of the pin and kept it grip until it had been drawn out. The child will be out of the hospital in a few days.

## MANN BLOCKS TARIFF AT THE LAST MOMENT

Minority Leader Demands Reading of Engrossed Bill and Forces Adjournment.

GOES OVER ANOTHER DAY

Democrats Split on Some Items in Final Efforts for Amendments, but the Measure Stands as Reported.

[From The Tribune Bureau.]

Washington, May 7.—When the Underwood tariff bill was reported from the Committee of the Whole to the House late this evening and seemed about to pass, Mr. Mann, the minority leader, blocked its way by demanding the reading of the engrossed copy of the measure, which will not be completed until tomorrow afternoon. Mr. Mann explained that the hour was late, and he desired to speak on the motion of Mr. Payne to recommit the bill to the Ways and Means Committee, with instructions to bring in an amendment embodying provision for a non-partisan tariff board.

"I will withdraw my demand for the reading of the engrossed copy of the bill if the gentleman will make a point of order against the tariff commission amendment," said Mr. Mann, addressing the majority leader. Mr. Underwood shook his head and Mr. Mann then explained:

"It is nearly midnight, and we want to defend the motion to recommit on this side of the House. I shall have to insist upon my demand."

Mr. Payne stood near by with his motion to recommit in his hand. Mr. Underwood then moved adjournment until 2 o'clock to-morrow, the earliest hour at which the engrossing of the bill can be completed.

Speaker Champ Clark and Mr. Mann made what were supposed at the time to be the concluding speeches for and against the bill, and the House reverberated with continued applause. There were cries of "Vote! Vote!" and "Underwood! Underwood!" as the Speaker resumed his place on the floor, prior to assuming the chair when the bill left the Committee of the Whole.

Mr. Underwood was worn out by the session, which had begun at 11 o'clock in the morning, and he wearily shook his head when the House demanded more oratory.

Responsibility on Democrats.

In reminding the Democrats that the responsibility for the bill was theirs, Mr. Mann made one of the most stirring speeches of the entire debate. The Democratic bill, he said, would not protect but would throttle the prosperity now abounding in this country. The highest type of statesmanship, he said, was necessary to preserve the prosperity of any nation.

"We leave you now with the country in the most prosperous condition," said Mr. Mann. "Our people are happy, they have work, they have clothing and good homes and work to perform. Take the country as we give it to you and see what you can do with it. See if you can do as well by it as we have done, for the country will judge you not by what you say here, but by the future."

Speaker Clark responded in a speech which aroused the militant Democracy to the highest pitch of enthusiasm. The bill, he said, had not been put through under a "tag rule."

"You can't kick and squeal," the Speaker added, turning to the Republican side. "There has been unanimity on our side, but it has not been the unanimity brought by the lash of the taskmaster. It is true, as the gentleman says, that twenty years ago we split up. This time we are standing together and we face the future confidently. In putting this bill through to-night we are accomplishing what we have been hoping to accomplish for many years."

One of the last attacks made on the measure by the Republican opposition came on the free trade provision with the Philippines. Three Democrats joined with the minority in an attempt to restore the Payne provision limiting the importation of Philippine cigars to \$500,000 a year. The Democrats were Messrs. Murray, of Massachusetts; Donovan, of Connecticut, and Diefenderfer, of Pennsylvania.

Mr. Austin, a Tennessee Republican, provoked loud Republican applause and a ripple of approval on the Democratic side when he asserted that Champ Clark should have been nominated at Baltimore.

"If Champ Clark were in the White House," shouted Mr. Austin, "we would not have a bill of this character before the House to-night. It is contrary to Democratic principles even, and will wreck the industries of the Southland."

The income tax provisions of the bill were completed in the afternoon. The section was amended so as to exempt from its provisions the citizens of Porto Rico and the Philippines.

That clause of the administrative section granting a reduction of 5 per cent in the duty on articles imported in American bottoms caused a spirited discussion and was denounced by Representatives Mann and Humphrey, Republicans, as a disguised ship subsidy.

Charles B. Smith, of Buffalo, was among the Democrats who declared their purpose to vote against the Underwood bill. He declared the bill as written would jeopardize the industries of Buffalo, and expressed the hope that the Senate would remedy some of its defects.

CURE FOR HABITUAL CRIME Sterilization Only Reliable Remedy, Says Specialist.

[By Telegraph to The Tribune.]

Pittsburg, May 7.—In a lecture before a clinic of North Side physicians, Dr. O. J. Bennett, noted as a specialist and for many years head surgeon at the Western Penitentiary, here declared to-day that sterilization was the only reliable means by which a recurrence of criminal instinct in discharged convicts could be obviated.

"Of course sterilization is never practiced in Eastern prisons," said Dr. Bennett, "but during my experience I know of several convicts who, after leaving prison and desiring to lead an honest life, consented to be operated on."

"I know of three men who had spent the greater part of their lives in penitentiaries who have become good citizens since submitting themselves to sterilization. They all live in this city and were notoriously bad during their criminal career. Before leaving the last prison in which they had been confined for several years they agreed among themselves to reform. When they were released they consulted a noted surgeon in this city, who agreed to perform the operation."

"To my personal knowledge, they are quiet, law abiding citizens to-day, and each of them has informed me that the old spirit of wrong-doing is entirely gone."

## FIVE IN HIS PERJURY NET Justice McAvoy to Issue Warrants in Accident Case.

Justice McAvoy in the City Court yesterday committed to the Toms in \$5,000 bail five witnesses in a case before him. But before the men were taken to the prison the justice paroled them in the custody of a lawyer, and said he would issue warrants. The five men are Joseph S. Josephs, Richard B. Willard, Albert Tibble, Patrick King and Charles Francis Tashler. The first three are interested in the Flat Automobile Company.

The case was a suit for damages brought against the company by Patrick Burns, an employee, for injuries received in December, 1910. Burns said

he was unable to return to work until the following March. His witnesses corroborated his story. The five witnesses for the defendant company testified that Burns had been physically able to return to work after ten days.

Justice McAvoy decided there must be perjury somewhere, and announced that if the verdict of the jury was in favor of the defendant company he would commit the witnesses for the plaintiff, and if the plaintiff got a verdict he would commit the witnesses for the defendant company. The jury gave Burns a verdict for \$200.

END OF OPIUM TRADE NEAR.

London, May 7.—The government announces that no more opium will be sent from India to China this year. It says it is probable that the traffic in opium between India and China will never be renewed.

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